



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5  
77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590

APR 23 1997

REPLY TO THE ATTENTION OF:

WU-17J

Mr. John Sadzewicz  
Chief, Division of Drinking and Ground Waters  
Ohio Environmental Protection Agency  
P.O. Box 1049  
Columbus, Ohio 43266-0149

Dear Mr. Sadzewicz:

The attached report highlights the progress that the Ohio Environmental Protection Agency has made administering the Class I, IV, and V Underground Injection Well program for the state of Ohio during Federal Fiscal Year 1996. The report also discusses topics of mutual concern and interest. In preparing this report, we have drawn from a number of sources including the October 28, 1996 meeting between members of our staffs, your fourth quarter reporting forms, a very detailed self-assessment provided by Mary Lou Rochotte of your staff, and additional written and verbal communications with your staff. Through this report, we hope to continue dialogue on the future goals and direction of your program in addition to how USEPA can continue to assist with the accomplishment of these goals.

As part of our partnership with your agency, we are pleased to continue the discussion of pertinent state topics of mutual concern and interest, with both agencies working together to propose solutions. We feel that this approach reflects the maturation of your program, your demonstrated capabilities, and USEPA's commitment to State assistance. Special thanks to Mary Lou Rochotte for her superior implementation of the UIC program and the hard work exhibited by her staff.

Please feel free to comment on both our presentation of topics and proposed recommendations and conclusions, as we wish to continue to assist your agency in capacity building for the UIC program. Also, please let us know if there are any additional areas in which we can provide either technical or program assistance. If you have any questions, please contact either John Taylor or Valoria Robinson of my staff who can be reached at (312) 886-4299 or (312) 886-4281, respectively. We appreciate your dedication and continued support of the UIC program and the efforts of your staff.

Sincerely,

A handwritten signature in cursive script that reads "John C. Taylor".

Rebecca L. Harvey, Chief  
Underground Injection Control Branch

ohiofy 96. wpd

APR 23 1997

WU-17J

Mr. John Sadzewicz  
Chief, Division of Drinking and Ground Waters  
Ohio Environmental Protection Agency  
P.O. Box 1049  
Columbus, Ohio 43266-0149

Dear Mr. Sadzewicz:

The attached report highlights the progress that the Ohio Environmental Protection Agency has made administering the Class I, IV, and V Underground Injection Well program for the state of Ohio during Federal Fiscal Year 1996. The report also discusses topics of mutual concern and interest. In preparing this report, we have drawn from a number of sources including the October 28, 1996 meeting between members of our staffs, your fourth quarter reporting forms, a very detailed self-assessment provided by Mary Lou Rochotte of your staff, and additional written and verbal communications with your staff. Through this report, we hope to continue dialogue on the future goals and direction of your program in addition to how USEPA can continue to assist with the accomplishment of these goals.

As part of our partnership with your agency, we are pleased to continue the discussion of pertinent state topics of mutual concern and interest, with both agencies working together to propose solutions. We feel that this approach reflects the maturation of your program, your demonstrated capabilities, and USEPA's commitment to State assistance. Special thanks to Mary Lou Rochotte for her superior implementation of the UIC program and the hard work exhibited by her staff.

Please feel free to comment on both our presentation of topics and proposed recommendations and conclusions, as we wish to continue to assist your agency in capacity building for the UIC program. Also, please let us know if there are any additional areas in which we can provide either technical or program assistance. If you have any questions, please contact either John Taylor or Valoria Robinson of my staff who can be reached at (312) 886-4299 or (312) 886-4281, respectively. We appreciate your dedication and continued support of the UIC program and the efforts of your staff.

Sincerely,

/s/ John C. Taylor

Rebecca L. Harvey, Chief  
Underground Injection Control Branch

JET A/23/97 YR 4/23/97

### Program Administration

The Ohio Environmental Protection Agency (OEPA) continues to run an effective program and has either met or greatly exceeded program commitments for FY 1996. The OEPA is responsive to frequent requests from the Region for document review or for reporting to HQ as well as requests generated from various projects contracted through headquarters. The benefits of the joint coordination that has occurred between our agencies are evident in many areas including Class I permitting, Class V regulation development, and shaping UIC agendas at the biannual Ground Water Protection Council meetings. The OEPA is actively involved in national program activities. OEPA staff is to be highly commended for another productive year.

### Staffing

Ohio EPA staff has the technical proficiency to implement an effective UIC program. We are confident that the program is being directed under very capable leadership and that staff will receive the training and tools necessary to maintain and build on existing expertise. We fully support OEPA management's proposed staffing plans, particularly, the hire of an additional geologist for more Class V work. Such efforts will only serve to help OEPA continue its course and further expand the program.

### Multi-Media Inspections

We will continue to keep OEPA informed of current and planned USEPA multimedia inspections. For FY 1997, a multi media inspection is being proposed at BP Chemicals (BPCI) but no final decision has been made. We do not anticipate that there will be any UIC issues associated with the BP Lima, Ohio facility but we will keep the OEPA up to date on the status of this proposal. The multimedia inspection of AK Steel is complete pending a final report. We will forward a copy to the state as soon as it becomes available.

### National Class V Outreach

A national Class V outreach workgroup was formed to develop an outreach product or proposal that could be duplicated nationwide. The workgroup consists of Regional and State representatives. Harriet Hubbard of USEPA Headquarters is the workgroup lead and contacts for Region 5 are Valoria Robinson and Helen Lenart. The workgroup will probably do a number of projects but is currently focusing on the development of a video aimed at city and county officials as well as planning and zoning commissions. The goal of the video is to demonstrate the importance of providing financial resources to address subsurface disposal issues. USEPA Headquarters management has endorsed the project and will provide funding in support of the effort. This video should serve as an effective outreach tool. For additional information, please contact either of the Regional representatives.

### Slow Leak Policy

The draft Region 5 slow leak policy may require some additional refinements but is nearly final. We are in receipt of OEPA comments which will be reviewed and duly incorporated. We will keep the OEPA informed of further developments as we complete our effort during FY 1997.

## Class V

OEPA continues to build upon an effective Class V program and strives to address the many issues resulting from its implementation such as potential overlap with other programs or the need to get better information about non-sewered areas. Substantial progress has been made this fiscal year with a number of Class V well closures and OEPA's immediate attention to several high priority wells. The OEPA continues aggressive outreach, educating other programs and local health departments to avoid the installment of new potentially endangering Class V wells and to get information on existing ones. The OEPA has established partnerships and cooperative working relationships with external constituents to the same end including the MOA with the Division of Surface Water and work with the OEPA district offices. These efforts serve to greatly enhance the Division's implementation of the Class V program.

The latest Class V regulation development efforts are expected to enhance Class V program implementation and provide the tools for achieving additional closures of endangering Class V wells. OEPA's formal comments as well as other input into the regulation development process has been invaluable. OEPA has been actively involved at the national level on Class V issues. We will continue to keep OEPA informed of any developments during this effort and will request your continued input as we consult with your program during in this process.

## Source Water Protection

Source water protection (SWP) developments stemming from the reauthorized Safe Drinking Water Act have become increasingly more important to the UIC Program. The Region is pleased that the Ohio UIC Program has chosen to become involved in such issues through the recent Ohio SWP stakeholder meeting. Region 5 believes that the UIC program should continue to remain involved in the decisions now being made at the State level that may affect how Ohio will implement their source water assessment and protection programs. The Class V Rule which is now under development is expected to target SWP areas as priority areas for regulation. The Class V program may also qualify for some funding under the State's Drinking Water Revolving Fund. Involvement in these developments may help the program leverage resources that are available through the SWP program.

## Special Class V Project Grant

The OEPA continues to work on the industrial brochure as part of the special Class V project grant. We respect OEPA efforts to ensure the development of a comprehensive brochure and wholeheartedly support their endeavors. The project is due for completion by October 31, 1997. We look forward to seeing the final results. While we do not anticipate delays, if for any reason the project cannot be completed by October 31, 1997, OEPA will need to submit a request, at the earliest possible date, which will serve as the basis for a grant amendment to extend the project period. The request should identify the issues causing the delay along with a plan and schedule for resolving them and completing the project. The budget period, however, cannot be extended because project funds expire October 31, 1997. As such, any costs incurred beyond this date are ineligible for reimbursement.

### Class I

Ohio EPA continues to work effectively with Class I operators to assure compliance. Ohio EPA consistently reviews monitoring reports for compliance and conducts semiannual inspections which include reviews of on-site compliance records, equipment checks, and witnessing of tests. Ohio EPA compliance assistance efforts help to maintain nearly complete compliance with regulations. All mechanical integrity tests have been completed on time for the past three years. Nearly 100 percent of Class I facilities maintained compliance throughout Federal Fiscal Year (FFY) 1996.

The OEPA successfully oversaw the closure of Aristech waste disposal wells number 2 and 3. Treated wastes are now discharged to the Ohio River under an NPDES permit. Aristech stopped injecting nonhazardous wastes into the Mt. Simon Sandstone in early 1996 and the injection wells were plugged immediately after. WDW No. 1, the only completely vertical well, was shut in and a long-term fall-off test was conducted throughout the remainder of FY 1996. The test indicated that a large fracture played an important part in the movement of waste water from the well. In addition to the three deep wells, the facility included two monitor wells. One of these wells monitors the Rose Run sand member of the Knox Group and the other monitors a shallow zone. Both of these wells will continue to be used for monitoring in accordance with permit conditions.

Region 5 has received helpful comments from Ohio EPA on a number of draft guidance documents which are being prepared for application in Region 5's DI states. The UIC Branch will prepare a response-to-comments document which will be circulated along with copies of the guidances when they are finalized, and some will be incorporated into the final guidance documents.

### Region 5 Reorganization

Region 5 reorganization plans are in full effect. An organizational chart is provided for future reference. The impacts to the Region 5 UIC program were minimal. The UIC program continues to be housed under the Water Division but at an elevated status as a self-contained Branch which reports directly to the Water Division Director.

### Land Ban

Ohio EPA assists Region 5 by monitoring compliance of conditions of land ban petition approvals for facilities located in Ohio. In FFY 1996, no violations of petition conditions were reported. Additionally, while no new petitions were received from facilities in Ohio, the Region modified the BPCI and CWM petitions to include additional waste codes allowed for underground disposal through their hazardous injection wells. No modifications of the UIC state permits were required as a result of these modifications, and no public meetings were held. Region 5 appreciates Ohio EPA's willingness to cooperate in all phases of petition evaluation, public participation in the decision-making process, and compliance monitoring.

### Customer Service

As part of the Administration's efforts to reinvent Federal government and improve interactions with primary customers, President Clinton issued an executive order to set customer service standards. Universal customer service standards were established as well as standards in key areas--public access; research grants; pesticide registration; permitting; state, tribal, and local program grants; enforcement inspections and compliance assistance; and rule-making. A number of customer service activities have been set in place. The Region established a customer service task force who held a series of meetings with four major stakeholder groups (local government, small business, large business, and environmental groups) to get their feedback on our services. Region 5 compiled a report on customer service in Region 5 based on these meetings. This report includes a summary of the feedback and a number of recommendations which the OEPA may find useful. It also includes for reference, USEPA Region 5 mission, vision, and values, as well as, regional priorities, principal places, and critical approaches. The report will be formally sent to state agency heads; a copy of the report is attached.

### State Reporting and Performance Measures

A number of efforts are in place which may impact UIC program reporting. These include such efforts as negotiations with OECA on enforcement measures, workgroup efforts to revise 7520 reporting forms, National environmental goals and indicators, core performance measures developed by USEPA Headquarters, and the management measures developed from the Government Performance Results Act. We are reviewing these documents to determine what information programs will be required to submit.

### Environmental Performance Partnership Agreement (EnPPA)

The FY 1997 EnPPA between OEPA and USEPA is final. The current year's agreement is more of a management piece which incorporates media specific programs by reference to the work plans. During this transitional year, both agencies will work together and explore ways to incorporate media specific work plans into a single ENPPA for FFY 1998. The OEPA also anticipates entering into a performance partnership grant at that time. Since UIC activities and funding will be incorporated under the environmental performance partnership process, our programs will need to work together on the UIC portion of these documents. A copy of the proposed ENPPA process schedule is attached for your information and so that we can better coordinate efforts.

The agreed upon joint priorities for FFY 1997 are brownfields redevelopment, reduction of toxics in the environment with focus on mercury, community based environmental protection, measuring and managing for environmental results, and instituting cultural change in the ways we provide environmental protection services. OEPA priorities that may impact UIC include increasing pollution prevention activity at OEPA and increasing participation in pollution prevention programs by other organizations. USEPA priorities are referenced for possible assistance from OEPA and for consideration in focusing efforts. These include environmental justice, cleaning up contaminated sediments, attainment of air quality standards for ozone, and the protection and restoration of critical habitat. Priority places include Northeast Ohio and the Lake Erie Basin. Region 5 will work with Regions 3 and 4 for an ongoing geographic initiative

in the Ohio/Kentucky/West Virginia Tri-state area. A copy of the agreement is enclosed for your reference. An increase in compliance assistance is identified as a major goal for OEPA and the UIC Unit has already invested in this area.